

PTO/SB/30 (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/041,144
Filing Date	January 4, 2002
First Named Inventor	ISHIMOTO, et al.
Art Unit	2622
Examiner Name	AGGARWAL, Y.K.
Attorney Docket Number	81784.0247

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition Under 37 CFR 1.313(C)

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1314
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	John P. Scherlach	Registration No. (Attorney Agent)	23,009
Signature	<i>John P. Scherlach</i>	Date	December 13, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the Office of Petitions at (571) 273-8300 or mailed to: Mail Stop 313 (c), Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 to the U.S. Patent and Trademark Office on the date shown below.

Name (Print Type)	Rhonda Hunt	Date	December 13, 2006
Signature	<i>Rhonda Hunt</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DEC 13 2006

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTALAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/041,144
Filing Date	January 4, 2002
First Named Inventor	ISHIMOTO, et al.
Art Unit	2622
Examiner Name	AGGARWAL, Y.K.
Attorney Docket Number	81784.0247

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unexamined amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition Under 37 CFR 1.313(C)

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment, to deposit
- Account No. 50-1314
- i. ☒ RCE fee required under 37 CFR 1.17(c)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	John P. Scherlach	Registration No. (Attorney Agent)	23,009
Signature		Date	December 13, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the Office of Petitions at (571) 273-8300 or mailed to: Mail Stop 313 (c), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 to the U.S. Patent and Trademark Office on the date shown below.

Name (Print Type)	Rhonda Hunt
Signature	<i>Rhonda Hunt</i>
Date	December 13, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

HOGAN &
HARTSON

FAX RECEIVED

DEC 21 2006

OFFICE OF PETITIONS

Hogan & Hartson LLP
1999 Avenue of the Stars
Suite 1400
Los Angeles, CA 90067
+1.310.785.4600 Tel
+1.310.785.4601 Fax

www.hhlaw.com

TELECOPY/FACSIMILE

To: US Patent & Trademark Office
Attn: Ms. Wise
Petitions

Company: U.S. Patent and Trademark Office

Fax Number: +1.571.273.1642

Tel Number:

From: John P. Scherlacher

Date: December 13, 2006

Time:

Total number of pages incl. cover page:

2

For internal purposes only:

Client number: 81784.0247

Attorney billing number: 1931

Confirmation number: (return to R. Maiden)

The attached information is CONFIDENTIAL and is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient(s) or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

MESSAGE:

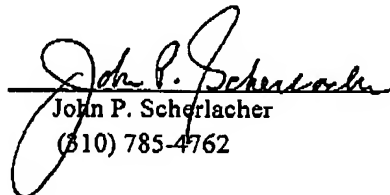
RE: U.S. Patent Application Serial No.: 10/041,144; Our Ref. 81784.0247

I hereby certify that the following document is attached hereto:

☒ (Signed) Request For Continued Examination (RCE) Transmittal

As per our telephone conversation on December 20, 2006, I am faxing a signed copy of the RCE of December 13, 2006 without the enclosures which you already have. If there are any questions, please call me.

December 21, 2006
Date of Deposit


John P. Scherlacher
(310) 785-4762

Baltimore Beijing Berlin Boulder Brussels Budapest Caracas Colorado Springs Denver Geneva Hong Kong London Los Angeles
Miami Moscow Munich New York Northern Virginia Paris Shanghai Tokyo Warsaw Washington, D.C.

WLA - 081784/000247 - 332125 v2